

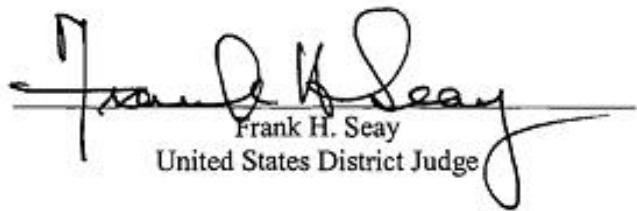
**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

DELBERT WILLIAMS,)
)
)
 Plaintiff,)
)
)
v.) **No. CIV- 06-371-FHS**
)
)
DEPARTMENT OF PUBLIC SAFETY,)
et. al.,)
)
)
)
)
 Defendant.)

OPINION AND ORDER
DENYING THIRD MOTION FOR APPOINTMENT OF COUNSEL

Plaintiff has filed yet another motion requesting the court to appoint counsel [Docket No. 60]. He bears the burden of convincing the court that his claim has sufficient merit to warrant appointment of counsel. *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10th Cir. 1985) (citing *United States v. Masters*, 484 F.2d 1251, 1253 (10th Cir. 1973)). The court has carefully reviewed the merits of plaintiff's claims again, the nature of factual issues raised in his allegations, and his ability to investigate crucial facts. *McCarthy*, 753 F.2d at 838 (citing *Maclin v. Freake*, 650 F.2d 885, 887-88 (7th Cir. 1981)). After considering plaintiff's ability to present his claims and the complexity of the legal issues raised by the claims, the court again finds that appointment of counsel is not warranted. See *Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991); see also *Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995). ACCORDINGLY, plaintiff's motion [Docket No. 60] is DENIED.

IT IS SO ORDERED this 15th day of April, 2009.



Frank H. Seay
United States District Judge

The image shows a handwritten signature in black ink, which appears to be "Frank H. Seay". Below the signature, the name "Frank H. Seay" is printed in a smaller, standard font. Underneath that, the title "United States District Judge" is also printed. There is a horizontal line above and below the printed name, framing it.